

TABLE III—CONTINUED

This Table lists the sections of Title 39, Postal Service, as revised in 1970, and indicates the sections of former Title 39, The Postal Service, which covered similar and related subject matter.

<i>Title 39 New Sections</i>	<i>Title 39 Former Sections</i>
1011	3103
1201–1209.	
2001	1
2002	503, 2103, 2113, 2115, 2201
2003	2202, 2231–2234
2004	2201
2005–2007.	
2008	2206–2208, 2211
2009	2303
2010	2231–2234
2201	2010
2401	2201, 2203
2402	2116, 2304, 2331
2601	712, 2210, 2212, 2401, 2403, 2404
2602	2402
2603	2204, 2409
2604	2410
2605	2408
3001	4001, 4002
3002	4010
3003	4003
3004	4004
3005	4005
3006	4006
3007	4007
3008	4009
3009–3011.	
3201	4151
3202	4152
3203	4153
3204	4154
3205	4155
3206	4156
3207	4158
3208	4159
3209	4160
3210	4161
3211	4162
3212	4163
3213	4164
3214	4165
3215	4166
3216	4167
3217	4168
3218	4171
3401	2303, 4169, 4303, 4560
3402	4170
3403	2303, 4653
3404	4654
3405	4655
3601	2304
3602–3604.	
3621	2302–2304, 2306
3622	507, 2302–2304
3623	2302–2304, 4057, 4251
3624	2304
3625	2304
3626	2304, 4358, 4359, 4421, 4422, 4452, 4554
3627	2303, 2304, 4358, 4359, 4421, 4422, 4452, 4554
3628	2304
3641	2302–2304
3661	2302–2304
3662	6212
3681	4055
3682	4252, 4305, 4552, 4554
3683	4554
3684.	
3685	4369
5001	6101
5002	6103
5003	6105
5004	6106
5005	6104, 6402, 6403, 6407, 6411–6413, 6416, 6422, 6423
5006	6432
5007	6203, 6433
5201	6201, 6401
5202	6202
5203	6203, 6204
5204	6204, 6205
5205	6206
5206	6207
5207	6208
5208	6209
5209	6210
5210	6202, 6213
5211	6214
5212	6215
5213	6216
5214	6402a
5215	6402
5401	6301
5402	6302, 6303

TABLE III—CONTINUED

This Table lists the sections of Title 39, Postal Service, as revised in 1970, and indicates the sections of former Title 39, The Postal Service, which covered similar and related subject matter.

<i>Title 39 New Sections</i>	<i>Title 39 Former Sections</i>
5403	6304
5601	6404
5602	6406
5603	6410
5604	6435
5605	6405, 6408, 6413

POSITIVE LAW

This title was enacted into law by Pub. L. 91–375, §2, Aug. 12, 1970, 84 Stat. 719, which provided that: “Title 39, United States Code, is revised and reenacted, and the sections thereof may be cited as 39 U.S.C. § __”.

EFFECTIVE DATES

Pub. L. 91–375, §15, Aug. 12, 1970, 84 Stat. 787, provided that:

“(a) Except as provided in subsection (b) of this section, this section and sections 9 through 13 of this Act [set out as notes below and under sections 1001, 1003, 1201, and 2004 of this title], and sections 202, 203, 205(b) and (c), 206, and 401(2), and subchapter I of chapter 36 of title 39, United States Code [sections 3601 to 3604 of this title], as enacted by section 2 of this Act, shall become effective on the date of enactment of this Act [Aug. 12, 1970]. Except as otherwise provided in this Act [see Short Title note set out under section 101 of this title] the other provisions of this Act shall become effective within 1 year after the enactment of this Act [Aug. 12, 1970] on the date or dates established therefor by the Board of Governors and published by it in the Federal Register. References to the Postal Service in any provision of this Act [see Short Title note set out under section 101 of this title] (other than a provision referred to in the first sentence of this subsection) which becomes effective before the Postal Service commences operations shall be held and considered to refer to the Post Office Department until the Postal Service commences operations.

“(b) Sections 3010 and 3011 of title 39, United States Code, as enacted by section 2 of this Act, and sections 1735, 1736, and 1737 of title 18, United States Code, as enacted by section 6(j) of this Act, shall become effective on the first day of the sixth month which begins after the date of enactment of this Act [Aug. 12, 1970].”

The provisions of Title 39, as revised by Pub. L. 91–375, §2, Aug. 12, 1970, 84 Stat. 719, are effective on the following dates:

Effective Aug. 12, 1970, pursuant to section 15(a) of Pub. L. 91–375:

Sections 202, 203, 205(b), (c), 206, 401(2), and 3601 to 3604.

Effective Feb. 1, 1971, pursuant to section 15(b) of Pub. L. 91–375:

Sections 3010 and 3011.

Effective Jan. 16, 1971, pursuant to Resolution No. 71–5 of the Board of Governors of the U.S. Postal Service:

Sections 207 and 402.

Effective Jan. 20, 1971, pursuant to Resolution Nos. 71–7, 71–8 and 71–10 of the Board of Governors of the U.S. Postal Service:

Sections 101, 204, 403, 404(2), 410(b)(1), (c)(4), 1003, 2004, 2401(b)(c), 3621 to 3628, 3641 and 3681 to 3685.

Effective Mar. 1, 1971, pursuant to Resolution No. 71–13 of the Board of Governors of the U.S. Postal Service:

Sections 1001 and 1002.

Effective Apr. 13, 1971, pursuant to Resolution No. 71–14 of the Board of Governors of the U.S. Postal Service:

Section 410(a), (b)(2) to (6), (c)(1) to (3), (5), (6).

Effective July 1, 1971, all other provisions of Title 39, pursuant to Resolution No. 71–9 of the Board of Gov-

ernors, which provided in part: "The Board of Governors establishes July 1, 1971, as the date upon which the Postal Service shall commence operations. All provisions of the Act [Pub. L. 91-375] not made effective on an earlier date shall become effective upon the commencement of operations."

SAVINGS PROVISION

Pub. L. 91-375, § 5, Aug. 12, 1970, 84 Stat. 774, provided that:

"(a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

"(1) which have been issued, made, granted, or allowed to become effective—

"(A) under any provision of law amended by this Act [see Short Title note set out under section 101 of this title]; or

"(B) in the exercise of duties, powers, or functions which are transferred under this Act [see Short Title note set out under section 101 of this title]; by (i) any department or agency, any functions of which are transferred by this Act [see Short Title note set out under section 101 of this title], or (ii) any court of competent jurisdiction; and

"(2) which are in effect at the time the United States Postal Service commences operations, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Postal Service (in the exercise of any authority vested in it by this Act [see Short Title note set out under section 101 of this title]), by any court of competent jurisdiction, or by operation of law.

"(b) The provisions of this Act [see Short Title note set out under section 101 of this title] shall not affect any proceedings pending at the time this section takes effect before any department or agency (or component thereof), the functions of which are transferred by this Act but such proceedings shall be continued before the Postal Service. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Postal Service (in the exercise of any authority vested in it by this Act), by a court of competent jurisdiction, or by operation of law.

"(c)(1) Except as provided in paragraph (2) of this subsection—

"(A) the provisions of this Act [see Short Title note set out under section 101 of this title] shall not affect suits commenced prior to the date this section takes effect; and

"(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act [see Short Title note set out under section 101 of this title] had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act [see Short Title note set out under section 101 of this title] shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the Postal Service or such official of that Service as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

"(2) If before the date on which any provision of this Act [see Short Title note set out under section 101 of this title] takes effect, any department or agency, or

officer thereof in his official capacity, is a party to a suit, and under this Act—

"(A) such department or agency is transferred to the Postal Service; or

"(B) any function of such department, agency, or officer is transferred to the Postal Service; such suit shall be continued by the Postal Service.

"(d) The amendment of any statute by this Act [see Short Title note set out under section 101 of this title] shall not release or extinguish any criminal prosecution, penalty, forfeiture, or liability incurred under such statute, unless the amending Act shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such prosecution, penalty, forfeiture, or liability.

"(e) With respect to any function, power, or duty transferred by this Act [see Short Title note set out under section 101 of this title] and exercised after the effective date of this Act, reference in any other Federal law to any department or agency, officer, or office so transferred, or functions of which are so transferred, shall be deemed to mean the officer or agency of the Postal Service in which this Act vests such function after such transfer.

"(f) Provisions of title 39, United States Code, in effect immediately prior to the effective date of this section, but not reenacted by this Act [see Short Title note set out under section 101 of this title], shall remain in force as rules or regulations of the Postal Service established by this Act, to the extent the Postal Service is authorized to adopt such provisions as rules or regulations, until they are revoked, amended, or revised by the Postal Service.

"(g) Notwithstanding section 202 of title 39, United States Code, as enacted by section 2 of this Act, Governors of the Board of Governors of the Postal Service may be paid \$300 a day for not more than 60 days of meetings in each of the first 2 years following the effective date of such section 202 [see section 15(b) of Pub. L. 91-375 set out as an Effective Date note above]."

Provisions of section 5 of Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors of the United States Postal Service and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note above.

CORRESPONDING REFERENCES

Pub. L. 91-375, § 6(o)–(q), Aug. 12, 1970, 84 Stat. 783, provided that:

"(o) Whenever any reference is made in any provision of law (other than this Act [see Short Title note set out under section 101 of this title] or a provision of law amended by this Act), regulation, rule, record, or document to the Post Office Department, the Postal Service, the postal field service, the field postal service, or the departmental service or departmental headquarters of the Post Office Department, such reference shall be considered a reference to the United States Postal Service. Any reference to any officer or employee of the Post Office Department, the Postal Service, the postal field service, the field postal service, or the departmental service or departmental headquarters of the Post Office Department shall be deemed a reference to the appropriate officer or employee of the United States Postal Service.

"(p) Whenever reference is made in any provision of law (other than this Act [see Short Title note set out under section 101 of this title] or provision of law amended by this Act), regulation, rule, record, or document to a postal inspector or chief postal inspector of the Post Office Department, such reference shall be deemed to be a reference to the appropriate officer or employee of the United States Postal Service who performs duties related to the inspection of postal matters.

"(q) Whenever reference is made in any law to title 39, United States Code, or provision of that title, as such title or provision existed prior to the effective

date of this section [see Effective Date note set out above], that reference shall be considered a reference to the appropriate provision of title 39, as amended by section 2 of this Act, unless no such provision is included therein.”

Provisions of section 6(o) to (q) of Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note above.

SEPARABILITY; LEGISLATIVE CONSTRUCTION

Pub. L. 91-375, § 11, Aug. 12, 1970, 84 Stat. 785, provided that:

“(a) If a part of title 39, United States Code, as enacted by section 2 of this Act, is held invalid, the remainder of such title shall not be affected thereby; and if any other part of this Act [see Short Title note set out under section 101 of this title] is held to be invalid, the remainder of the Act shall not be affected thereby.

“(b) An inference of a legislative construction is not to be drawn by reason of a chapter in title 39, United States Code, as enacted by section 2 of this Act in which a section is placed nor by reason of the caption or catchline.”

Provisions of section 11 of Pub. L. 91-375 effective Aug. 12, 1970, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note above.

TITLE REFERRED TO IN OTHER SECTIONS

This title is referred to in title 49 sections 5126, 41901.

PART I—GENERAL

Chap.		Sec.
1.	Postal Policy and Definitions	101
2.	Organization	201
4.	General Authority	401
6.	Private Carriage of Letters	601

CHAPTER 1—POSTAL POLICY AND DEFINITIONS

Sec.	
101.	Postal policy.
102.	Definitions.

§ 101. Postal policy

(a) The United States Postal Service shall be operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the Constitution, created by Act of Congress, and supported by the people. The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities. The costs of establishing and maintaining the Postal Service shall not be apportioned to impair the overall value of such service to the people.

(b) The Postal Service shall provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where post offices are not self-sustaining. No small post office shall be closed solely for operating at a deficit, it being the specific intent of the Congress that effective postal services be insured to residents of both urban and rural communities.

(c) As an employer, the Postal Service shall achieve and maintain compensation for its offi-

cers and employees comparable to the rates and types of compensation paid in the private sector of the economy of the United States. It shall place particular emphasis upon opportunities for career advancements of all officers and employees and the achievement of worthwhile and satisfying careers in the service of the United States.

(d) Postal rates shall be established to apportion the costs of all postal operations to all users of the mail on a fair and equitable basis.

(e) In determining all policies for postal services, the Postal Service shall give the highest consideration to the requirement for the most expeditious collection, transportation, and delivery of important letter mail.

(f) In selecting modes of transportation, the Postal Service shall give highest consideration to the prompt and economical delivery of all mail and shall make a fair and equitable distribution of mail business to carriers providing similar modes of transportation services to the Postal Service. Modern methods of transporting mail by containerization and programs designed to achieve overnight transportation to the destination of important letter mail to all parts of the Nation shall be a primary goal of postal operations.

(g) In planning and building new postal facilities, the Postal Service shall emphasize the need for facilities and equipment designed to create desirable working conditions for its officers and employees, a maximum degree of convenience for efficient postal services, proper access to existing and future air and surface transportation facilities, and control of costs to the Postal Service.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 719.)

EFFECTIVE DATE

Section effective Jan. 20, 1971, pursuant to Resolution No. 71-10 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding this section.

SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103-123, title VII, § 701(a), Oct. 28, 1993, 107 Stat. 1267, provided that: “This title [enacting section 3642 of this title, amending sections 410, 2401, 3202, 3601, 3625 to 3627, and 3683 of this title, and enacting provisions set out as notes under sections 2401, 3621, 3626, and 3683 of this title] may be cited as the ‘Revenue Forgone Reform Act’.”

SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-421, § 1, Sept. 24, 1976, 90 Stat. 1303, provided: “That this Act [amending sections 404, 2003, 2401, 3601, 3604, 3622, 3623, 3624, 3626, 3641, and 3683 of this title, and enacting provisions set out as notes under sections 404, 3601, 3624, 3641, and 3661 of this title] may be cited as the ‘Postal Reorganization Act Amendments of 1976’.”

SHORT TITLE

Pub. L. 91-375, § 1, Aug. 12, 1970, 84 Stat. 719, provided: “That this Act [revising this title, enacting sections 1735 to 1737 of Title 18, Crimes and Criminal Procedure, amending section 356 of Title 2, The Congress, section 19 of Title 3, The President, sections 101, 104, 2104, 2105, 3104, 3304a, 4301, 5102, 5303, 5304, 5312, 5314 to 5316, 5541, 6301, 6323, 7101, and 8344 of Title 5, Government Organization and Employees, sections 24 seventh par., 1701d-3, and 1701e of Title 12, Banks and Banking, section 637 of Title 15, Commerce and Trade, section 4601-1 of Title 16, Conservation, section 8 of former Title 17, Copyrights,